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PREPARATIONS FOR THE SPECIAL SESSION OF THE GENERAL ASSEMBLY FOR THE PURPOSE OF AN OVERALL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF AGENDA 21

DIALOGUE SESSIONS WITH MAJOR GROUPS

Summary report of the dialogue session with indigenous people

(15 April 1997)

Chairman: Mr. Czeslaw Wieckowski (Poland), Vice-Chairman, Commission on Sustainable Development

Facilitator: Mr. Devashish Roy, Chakma Peoples, Bangladesh (Bangladesh Indigenous and Hill Peoples Association for Advancement)

Presenters: Representatives of the following groups made presentations: Quechua, Ecuador; Kuna People, Panama (International Alliance of Indigenous and Tribal Peoples of the Tropical Forests); Nuuk, Greenland (Inuit Circumpolar Conference); Maori, New Zealand (Maori Congress); Ogoni, Nigeria (National Youth Council of Ogoni People); Kankanaey, Philippines (Asian Indigenous Women's Network); Quechua, United States (International Indian Treaty Council).

PRESENTATIONS

As noted in the Quechua prayer that opened the session: "people belong to the Earth, the Earth does not belong to them". Although indigenous peoples are mindful of this concept and have much to offer through their sustainable

lifestyles, their needs continue to be overlooked. In the five years since the Rio Conference, indigenous groups have become more vocal and visible at the international level in defence of Mother Earth. However, their situation at the regional, national and local levels has worsened as they confront increased discrimination regarding their economic, social, civil and cultural rights. In their dialogue session, representatives of a number of indigenous communities shared their experiences and highlighted some of the more pressing problems they face. In doing so, they highlighted the important links between the concerns of Indigenous People and other issues outlined in Agenda 21, including poverty, human settlements, rural development, farmers, women, biodiversity and forests.

Activities

Indigenous peoples have championed a number of activities pertaining to sustainable development. These include:

- Continued application of sustainable practices in everyday life.
- Contributions to the preparation of the draft United Nations declaration on the rights of indigenous people.
- Support of international forums concerning forestry, biodiversity and intellectual and cultural property rights.
- Legal action against those pursuing unsustainable mining practices.
- Action that convinced the Government of the United States of America to suspend patenting of genes from the Hagai People of Papua New Guinea.

Obstacles

Obstacles to furthering the cause of indigenous peoples include prejudiced perceptions about indigenous peoples, lack of representation in decision-making forums, globalization and trade barriers.

- Non-indigenous people often hold a prejudiced view of indigenous peoples or stereotype them as "noble savages" with primitive lifestyles and static communities.
- Many non-indigenous people hold a reductionist view in which they fail to recognize the important linkages between indigenous peoples and the ecosystems in which they live.
- Indigenous peoples continue to suffer from poverty, hunger, war, debt, pollution, disease, illiteracy and homelessness caused by unsustainable development.
- Most international agreements fail to address the needs of indigenous peoples adequately. For example, the concept of "territories" does not appear in Agenda 21 or the Forest Principles. Agenda 21 portrays indigenous peoples and their traditional practices as objects of research for commercialization. It also makes little reference to indigenous

peoples in the Arctic regions or to the negative impact of mining activities on indigenous communities.

- Indigenous peoples lack representation in international and national forums.

- Trade barriers instituted by European countries and the United States are often harmful to indigenous peoples (such barriers include the 1983 European ban on seal pelts, the 1991 European ban on importation of wild furs from leg-hold traps and the United States Marine Mammal Protection Act).

- Use of hazardous chemicals, global warming, long-range transboundary air pollution and loss of biological diversity have particularly negative implications for indigenous groups in the Arctic regions.

- Multilateral trading systems, economic globalization and trade liberalization are promoting a free market in which corporations hold a great deal of power, little social responsibility and no local accountability.

- Increased dam building is promoting displacement and marginalization of indigenous peoples.

- Biopiracy, bioengineering and bioprospecting exploit the traditional views and practices of indigenous peoples.

- Development and some conservation programmes often prompt militarization of indigenous peoples' communities and subsequent violations of their rights.

Priorities

- The territorial rights of indigenous peoples should be respected and recognized.

- Indigenous self-determination should be recognized as an integral part of sustainable development.

- Indigenous peoples want to determine their own course of development, control their affairs and resources, and participate directly and fully in decision-making that affects them.

- Indigenous peoples want to exercise rights over the resources of the ecosystems of their traditional territories.

- Indigenous peoples urge further progress and action on international conventions for climate change, biological diversity and long-range transboundary air pollution.

- Indigenous peoples should be represented at the highest level in the United Nations system.

- Sustainable development issues should be addressed in a comprehensive manner and not reduced to isolated sectoral considerations.

DIALOGUE

Representatives of the following countries made statements: Canada, Denmark, Nigeria, Peru and the United States of America. The representative of a non-governmental organization (NGO) from Guyana and an indigenous peoples' representative from the United States (Sovereign Dineh Nation) also made statements.

Some dialogue participants noted issues regarding indigenous peoples in their countries. In response to a panellist who described the oppression of the Ogoni people in Nigeria, one government representative noted that the Ogoni are considered an ethnic group in Nigeria and not indigenous peoples (Nigeria). Another government representative recalled the numerous problems that indigenous peoples in his country faced including drug trafficking, civil strife, environmental degradation and migration. He expressed solidarity with the panellists (Peru). Other government representatives noted the efforts of their Governments in furthering the interests of indigenous peoples via the draft United Nations declaration on the rights of indigenous people (Canada) and workshops concerning a permanent forum for indigenous peoples (Canada and Denmark).

Some countries explicitly addressed Arctic Council (Canada, United States) and Dineh Nation issues (United States). In response to an Inuit panellist, one representative noted that his Government believed that forums other than the Arctic Council were more appropriate for addressing marine mammal issues (United States). Another government representative responded that the Arctic Council was capable of making its own decisions (Canada). The Inuit panellist emphasized that acts that prevented the Inuit from using mammal resources were adversely affecting their traditional lives and economies.

The representative of an NGO suggested that international organizations should develop funding criteria to guide decision-making on financing of mining projects (Guyana). An indigenous peoples' representative from the United States called attention to the relocation of her people to make way for coal mines (Sovereign Dineh Nation).

CHALLENGES AND RECOMMENDATIONS TO THE COMMISSION ON SUSTAINABLE DEVELOPMENT

The primary challenges and recommendations for the Commission concern participation, funding, information, biological diversity and trade issues.

- The international community should recognize indigenous peoples as peoples and not as non-governmental organizations.

- The United Nations should establish a permanent forum for indigenous peoples.

- Forest policy forums at all levels must establish mechanisms to ensure equal and full participation of indigenous peoples and other forest-dependent people in decision-making.

- The scope of the United Nations Voluntary Fund for Indigenous Populations should be expanded so as to enable greater participation by representatives of indigenous peoples in the full range of United Nations activities.

- The United Nations should improve the dissemination of information to indigenous peoples.

- The international community should address issues concerning biological diversity, such as biotechnology, bioprospecting and the Human Genome Diversity Project. Institutions and conventions dealing with these issues must allow for the participation of indigenous peoples. A biosafety protocol under the Convention on Biological Diversity should be speedily accepted.

Indigenous peoples specifically requested the Commission to:

- Promote the immediate adoption of the draft United Nations declaration on the rights of the indigenous people in its current form.

- Examine the impacts of globalization, the World Trade Organization and regional agreements on intellectual property rights (e.g., APEC and NAFTA) on indigenous communities.

- Review the activities of transnational corporations, especially the extractive industries such as mining and timber, and examine the effects of these businesses on indigenous peoples. Methods of conflict resolution should be among the issues considered.

- Promote dialogue between indigenous and non-indigenous groups and Governments at the international, national and local levels.

- Participate in the workshop regarding a United Nations permanent forum for indigenous peoples, to be held in Chile in June 1997.